

mass of the blood, cannot, I think, be disputed. Nor can we say that the minute portion of cantharidine present in the blood after the application of a blister is without effect on the mass of the blood, since the absorption of a very minute portion of the more active remedies produces very striking effects.

Purgatives, diaphoretics, &c., form another class of remedies for inflammation. The explanation of their action is by no means difficult. That they act upon the blood is proved by the injection of purgatives into the veins, which produce the cathartic effect in the same manner as if taken by the mouth. When administered to the patient they are absorbed into the blood, and again eliminated by the increase of the peculiar secretion they have a tendency to excite.

We shall never, in all probability, be able to say why certain substances purge and others produce diaphoresis, any more than we shall be able to answer the question why matter is attracted by other matter; but the laws by which these substances produce their effects are equally within our reach as the laws of gravitation.

I find that, however imperfectly I may have stated my ideas on this subject, I have out-stepped the bounds I had originally proposed to myself, and that I must ask your indulgence for perhaps more than one future communication. If I succeed in leading others, more favourably circumstanced than myself, to this investigation, I shall feel myself amply repaid. I am Sir, your obedient servant,

PHILIP B. AYRES, M.D.

Thame, April 8, 1843.

SUPERIOR ARRANGEMENTS IN GERMAN HOSPITALS.

It is impossible not to be struck with the superior degree of attention that the German surgeons bestow upon every minute circumstance which bears upon the success of their operations. This is well seen in the ophthalmic wards of their general hospitals. For example: the auditorium for the clinical practice in the great civil hospital in Vienna is coloured green, and the windows are supplied with peculiar shutters and curtains, so that the light can in a moment be regulated according as circumstances demand. The eye wards are likewise coloured green, and are furnished with everything necessary for the peculiar care of patients with eye-diseases: they have their special shutters and curtains, and each bed has a moveable screen to regulate the light admitted. Similar remarks apply to all the German hospitals as those of Munich, Prague, Leipsic. —*Dr. Hamilton in the Monthly Journal of Medical Science.*

MEDICO-LEGAL REFLECTIONS

ON THE

CASE OF M'NAUGHTEN,

WITH

SURGICAL REMARKS ON THE TREATMENT OF MR. DRUMMOND.

To the Editor of THE LANCET.

SIR,—It will not, I trust, appear too late to open your columns to some further consideration of the equally important and perplexing case of the assassin of the late lamented Mr. Drummond. The following brief observations were noted down previously to the valuable editorial remarks which appeared in THE LANCET of the 10th and 25th of last month; but I have not, until now, had leisure to write them out. It will appear that, in several of the views which I have taken, I am so fortunate as to coincide with those held by yourself. M'Naughten's case, regarded, as it is, by many both in and out of the profession, as a sort of *precedent* in our code of medical jurisprudence, seems to be infinitely too important, for the reason just assigned, as well as on other accounts, to be dismissed without larger comment than you, Sir, or your contributors, have yet seen fit to give it.

I at once avow myself one who thinks that in M'Naughten, a man sufficiently master of himself to be amenable to laws, has escaped; and that in Mr. Drummond society has sustained a loss for which it has not received adequate atonement. I propose to submit, in the concisest manner possible, the grounds on which I rest the above opinions.

I take it to be a fundamental principle in medical jurisprudence that the mania, or monomania, the *only* mania or monomania which ought to prevent a man who deprives a fellow-creature of life from being held morally and legally responsible, is what is called homicidal insanity. I further assume it to be an understood and recognised principle in all sound and safe criminal jurisprudence, *that the act itself of killing is in no manner and in no case to be viewed as a proof of the insanity of the man who destroys another*, but that the homicidal insanity is to be established on evidence altogether separate from, and independent of, the murderous act itself. The absolute necessity of this rule is self-evident. If the act itself of murder were to stand as any proof, or, at least, as any proof other than the most subordinate and incidental, that the murderer was insane, then every man who took his neighbour's life would, *by the fact of doing so*, create (if I may use the word) evidence of his being insane, and therefore irresponsible. Hence it follows that the *homicidal* mania or monomania, established on evidence other than the act of homicide itself, alone exonerates, or ought to exonerate, a man who slays another, from the capital consequences annexed by the

laws of all civilised nations to that highest and most atrocious of crimes. Such, I repeat, is English and all law; yet I maintain that there was no satisfactory proof, apart from his act of killing itself, that the insanity under which M'Naughten laboured was the *homicidal*. The monomania he was shown to be subject to was of a nature altogether different from this.

I need not remind you and your readers that all the principal proof adduced by M'Naughten's counsel went to show, *not* that he was a *homicidal monomaniac*, but that some time previous to the destruction of Mr. Drummond the assassin laboured *under a delusion merely of being persecuted and pursued*! This was, doubtless, lamentable and inconvenient; but this (the only monomania, be it observed, satisfactorily established in the prisoner's favour) afforded no exculpatory plea for the act for which he was arraigned.

We were told, indeed, that on one occasion he said that if he had had a pistol "he would have shot Sheriff Bell on the bench;" and from this, we presume, it was meant to be shown that he had, during a length of time, had a homicidal-monomaniacal tendency. But Mr. Dillon, and a multitude of other persons, in regard to whose perfect sanity there is no doubt, have been found uttering an exactly similar sentiment; nay, in not a few cases, have attempted to put the threat in execution; yet, so far as I remember, the expression of M'Naughten above quoted, and which was probably nothing else than a strong and vulgar mode of expressing disapprobation, was the strongest, and I rather think the only circumstance calculated to show the existence of a homicidal tendency previous to the lamentable attempt itself on Mr. Drummond. How defective, then, was the proof of homicidal monomania I need not point out.

And yet one of the medical witnesses for the prisoner had the hardihood to characterise the murder as but the climax of a series of morbid mental movements, necessarily occurring, and which the prisoner had no power of controlling: an inexpressibly unguarded statement, a truly dangerous doctrine! by which it was plainly taught that any man who chances to be monomaniacal in any way, is to enjoy that melancholy impunity in regard to the taking away of human life which the laws, rightly interpreted, reserve for the real *homicidal monomaniac* alone!

I would next observe that the grounds on which the medical witnesses for the prisoner seemed, to a considerable extent, to have rested their opinion of M'Naughten's insanity, consisted of statements of his own, and that while many or all of these statements were such as a real monomaniac might, *perhaps*, have made, they were also precisely those which a man pretending insanity, and

desirous thereby of extricating himself from the dangerous position in which his violent passions had placed him, would have had recourse to. Illustrative of the remark now made, is the expression attributed to the prisoner, that were he out of prison "he would do the same thing to-morrow." The genuine monomaniac would either not care to make such a statement, or would be too artful to do it. Again, the statement ascribed to M'Naughten, that "when he saw the individual at Charing-cross, all the excitements he had endured for years rushed on his mind, and he felt a conviction that he would be relieved from his sufferings by taking the life of the man before him," savours more strongly, more palpably of flagrant, barefaced imposture, than any other that I remember to have read or heard of in the whole course of my professional career. I confess I was utterly confounded, utterly shocked, when I found gentlemen who profess to have made mental alienation their special study quoting such trash, and sanctioning it as evidence of insanity in the utterer of it.

If there be one proof of mania stronger than another, it is the carelessness which the monomaniacal homicide evinces to *account* for his deed, or his obvious difficulty or inability of doing so. Lord Brougham well pointed out, though he omitted to apply to the case of M'Naughten, this latter peculiarity, as exhibited by Bellingham, the assassin of Mr. Percival, who, sane in his thoughts and discourse on all other subjects, seemed to lose himself altogether on this; for when questioned as to what prompted his attempt on his victim, his replies were to some such effect as the following:—"As to *that* occurrence it could not be avoided; I could not help *that*; *that* event happened of necessity," &c. &c. &c., statements remarkably contrasting with the circumlocutionary and *too-sane-like* ones of M'Naughten. In truth, the real monomaniacal homicide cannot explain or account to *himself* for, the impulse under which he acts in destroying another, and accordingly neither *can* account for, or tries to account for it, to others. He seems either to consider the act so natural and so proper that it requires no explanation, his diseased moral affections evidently preventing him from even suspecting that his deed has aught of strange or horrible, or else the very perplexity caused by being asked to explain an impulse he himself does not understand, and to account for an event which he believes natural and necessary, keeps him silent. Show me *one* real lunatic who, in corresponding circumstances, made the circumstantial, ingenious, plausible explanations that M'Naughten is reported to have done, and I shall at once plead guilty to want of information or want of observation.

The allegation of M'Naughten, that the

assassination was occasioned by the "scowl" cast at him by Mr. Drummond in passing, requires some notice. This statement obviously goes to prove, that the murder was due to a momentary impulse, and was of purely accidental occurrence, and is, of course, altogether at variance with a variety of facts proving, in the amplest manner, long and careful premeditation on the prisoner's part. Each one must form his own judgment whether M'Naughten, in making the statement now referred to, actually forgot the various preparations he had made for executing his dreadful deed, or merely pretended to have forgotten these. For my part, I do not consider it at all likely that a monomania which disturbed so little the general rationality of his conduct and ideas, could have destroyed his recollection of events so recent as his loitering about the Treasury, his dodging the steps of Mr. Drummond to the bank, his having prepared himself with pistols, &c. I am, therefore, constrained to regard the statement alluded to as but another bold lie.

Never was there a lamer defensive argument than that the publicity with which M'Naughten committed his assassination was a presumptive proof of his insanity. Why, Oxford, Francis, and Bean; the sentinel who the other day shot Dr. Martin, at Malta, and Mr. Dillon, who threatened to shoot the worthy Chancellor of the Exchequer, are one and all sane in the estimation of all who have or had an opportunity of observing them; yet the attempts of the four first of the persons named were as public as M'Naughten's, while, to human apprehension, they were equally or more causeless than his.

While I cannot but rejoice that one whom I consider to have been perfectly cognisant of his acts at the moment he took Mr. Drummond's life (and consequently guilty of murder) has escaped the gallows, and has thus time and opportunity afforded for penitence and amendment, still, on viewing the case as a medico-jurist, I must state it as my opinion that there are other and strong grounds on which, had the case for the Crown not been conducted with great, nay more, with undue leniency, a conviction of M'Naughten might have been pressed for. Thus, even in the case of a man not monomaniacal merely, but insane on all points, the law directs that for homicidal or for other acts injurious to person or property, committed during a lucid interval, such a man shall be held legally responsible. Now, it is perfectly obvious that the counsel for the Crown might, with great facility, have adduced strong proof of M'Naughten's mind being "lucid" at the time he murdered Mr. Drummond. In his intercourse with the woman in whose house he lodged, in the conversations which took place shortly before the commission of the murder, be-

tween M'Naughten and his comrades, no signs of lunacy were observed.* Nor did the soldier, or the several policemen who watched and addressed him when loitering about the Treasury, detect, either in his aspect or his words, any traces of mania; and, therefore, notwithstanding all the ingenious and dangerous sophistry which has been recently written and spoken in regard to homicidal mania, I maintain that if a man can exhibit perfect self-control, prudence, caution, and rationality, in respect to the *means* of compassing an end, he cannot be supposed to be devoid of these in respect of the *end* itself; if a man retains such a sense of what are the opinions of society, and the illegality of murder, as to conceal effectually from those about him all signs of his intention to commit an act of violence, and if he possesses the physical and moral self-government which enables him thus effectually to disguise his intentions up to the very moment of his act, the presumption that his intellect and volition are both sufficiently sound to constitute him legally and morally responsible, is, in my opinion, all but irrefragable; and I apprehend that to pronounce such a man unaccountable on the ground of insanity, is to declare lunacy universal, to abolish the name and idea of crime, and, if generally acted on, to disorganise all human societies.

I have heard some persons found arguments in favour of the supposition that M'Naughten was insane on the fact of his having betrayed no mental depression while confined in Newgate. I would beg such persons to call to mind that a criminal more cruel and atrocious than I believe even M'Naughten to have been, namely, Good, was hilarious in prison, and was accustomed to make matches at leaping, &c., with his fellow-prisoners. A greatly criminal as well as a greatly virtuous action often produces a temporary excitement, which either makes a villain indifferent to his situation, or else enables him easily to assume the appearance of being so.

Now, possibly some of your readers may say, "If you are of opinion that it was *not* under the influence of insanity that M'Naughten's act was performed, pray let us know under what motives or impulses you suppose he was led to take Mr. Drummond's life?"

In answering this question, I would first

* And let it be remembered how little reserved M'Naughten had previously been in regard to his monomaniacal delusions. There is scarcely an example of a monomaniac not under restraint who talked so freely and to so many persons of his real or assumed morbid fancies as M'Naughten appears to have done. *Nay, coupled with what afterwards took place, his conduct, in this respect, is far from being unopen to suspicion.*

call attention to the fact, that the alleged reserved and unsocial character of M'Naughten, and his supposed exemption from political passions and bias, weigh extremely little with me, as evidence that it was not under political excitement that he committed the deed. Your quiet, reserved men are often those who neither think nor feel the least deeply and tempestuously. Thoughts and emotions that are pent up, that are secretly cherished and brooded over, become just the more explosive and violent on that very account. There cannot be a moment's doubt that the prisoner imagined that in shooting Mr. Drummond he was shooting another person. The reply of the prisoner to the police inspector, who asked him if he knew who he had shot, sets *this* question at rest. There can be no doubt that he cherished a political or personal animosity against Sir Robert Peel. His leading his companion past the house of the premier, his pointing out that house to his comrade, and the execration he uttered against the first minister in doing so, leave no doubt upon this subject.

Now let us consider what in M'Naughten's character and position was likely to beget in him a political or other grudge against Sir Robert Peel. It was proved in court that the prisoner was, to a remarkable degree, *penurious*; that he entertained a fear of dying of *poverty*, and in an hospital; at the time he committed the murder he was, and had been for months, *out of work*. Connect these circumstances in the lot of the prisoner, with the fact that the income-tax had been passed not long before, and amid a great clamour from the opposition press; that many of the daily prints teemed with charges and denunciations against Sir Robert Peel's ministry and measures, as the cause of the national distress and of the *want of work* generally experienced by the tradespeople; and it will be easily imagined how such circumstances might operate perniciously on the mind of a recluse but not an unintelligent nor uninquiring man; a man unwillingly idle, penurious in the last degree, and having his mind and his morals unsettled by the recent perusal of sceptical and philosophical works, which neither his education nor his intellectual ability enabled him to appreciate or digest. Such, I doubt not, was the real history of M'Naughten's criminal deed. His restless, anxious, unoccupied mind grew inflamed with a desire of visiting, on the head of the gentleman whom his own narrow and violent reflections, or the statements of others, taught him to view as the author at once of the public and of his own personal distress, what he might consider the merited recompence. I have no doubt that a morbid love of a culpable notoriety influenced him in his bloody and hateful proceeding. In short, it is my firm conviction, that his former monomania

of being persecuted and followed had no share in his murder of Mr. Drummond, and that a grand error was committed in confounding the feelings and motives which prompted to the latter deed with those which produced the former hallucination. I am, in a word, clearly of opinion that in regard to the murder of Mr. Drummond, and at the time he committed that act, M'Naughten was sufficiently *compos mentis*, sufficiently cognisant of the value of human life, of the criminality of taking it, of the use and danger and usual consequences of fire-arms, as most unequivocally, and in a strict sense, to constitute him legally and morally responsible.

Having referred to Sir Robert Peel, I must be allowed one word of remark, in order to guard against all possibility of misconstruction. It is, of course, altogether unnecessary for me to record my horror at the idea of making a minister of the Crown responsible personally, and in the mode M'Naughten sought to do, for political measures, whatsoever these may be. In a free country, in a civilised country, in a Christian country, *assassination*, as a means of carrying or averting political schemes, or placing or displacing statesmen, besides being wholly detestable, never is or can be required. But, I would further observe, that from the invariably mild and humane terms in which Sir Robert Peel has expressed himself, in regard to the sufferings and distresses of the working classes, when these have been brought under his notice either in or out of Parliament, it is difficult to conceive how he should be, in any degree, the object of public or private *animosity*, even with those who differ most widely from him in regard to foreign or domestic policy. Nor can I conclude this part of my paper without adverting to the loss sustained by the public and by his family, in the murder of Mr. Edward Drummond, whose mild fortitude and gentle resignation, in encountering a cruel and abrupt death, corresponded well with the innocence, the cheerfulness, the benevolence of his character and his life. In the better world, where he surely now is, his mild spirit will doubtless have ere this pardoned the wretch who dismissed him so rudely from this!

At the conclusion of a controversy which I carried on some time since in your Journal on the subject of the alleged applicability of phrenology to criminal jurisprudence, I transmitted to you a paper in which I sought to show, as Lord Brougham has since done, that a man *intellectually* sane, ought to be held legally responsible. The paper referred to you did not think it necessary then to publish, since it might have stirred afresh the embers of the expiring and too protracted discussion; but I trust you will *now* allow me to state, in a very few words, my views on this subject.

Lord Brougham, so far as I understood, stated, in the House of Lords, that the inquiry, in cases like M'Naughten's, ought to be, not merely whether the criminal possessed the *usual* moral sentiments and views in regard to what is right or wrong, virtuous or vicious, but whether he knew what was legal or illegal, what was authorised or what was forbidden by the law. The Deity has obviously endowed men with *two* rules of action, namely, with moral faculties and sentiments, and with intellectual perceptions of fitness and unfitness; and it by no means follows that because a man may have culpably eradicated from his mind the former (supposing this possible, which, however, I deny it to be), he therefore becomes an involuntary and therefore an irresponsible agent. It is quite conceivable that a man, from unrestrained cupidity, or from bad habit, may have destroyed in himself the *moral* aversion and disapprobation of theft which the majority of men feel; but the *expediency* of the *meum* and *tuum* principles, and their necessity to the very order and existence of society, and the knowledge of the fact that there are laws and penalties guarding these principles and enforcing them, cannot be so easily lost; nay, they are and must be present to every man's mind, so long as he is intellectually sane and retains an ordinary power of recollection. Unless, therefore, a man's *moral* mania is so great or of such a nature as to confound or counter-work the influence of the intellectual perceptions above referred to, he ought, on the ground of these intellectual perceptions, to be held accountable for acts of dishonesty or violence. We see daily men condemned to punishment who have little or no *moral* sense of, or *moral* remorse for, their crimes, but who yet are justly punished, simply because they *knew* their acts to be *illegal*, and contrary to the opinions, wishes, and interests of the majority of their fellow-men. And who but an Utopian dreamer will dispute the propriety of this arrangement?

It remains for me to consider the surgical points connected with Mr. Drummond's wound and its treatment. You, Sir, have already pointed out, as I meant to have done, the error into which Mr. Guthrie fell, in stating that wounds of the diaphragm are necessarily fatal. You refer your readers to cases in "Hennen's Military Surgery," for non-lethal examples of a perforated midriff. Perhaps the following one, reported in the "Medical Gazette" of July 15, 1842, is as remarkable as any recorded by Hennen. A sergeant of the 88th regiment, when skirmishing on the day previous to the battle of Fuentes d'Onor, was fired at as he was attempting to ascend a steep hill, the man who fired being at the top. The ball entered close to the nipple of the left breast, and passed out at the back, between the eighth and ninth ribs. The man recovered, rejoined

the service, and died of gangrene of the lower limb in 1833.

On examining the body, the anterior surface of the stomach was found firmly attached to the lower lobe of the left lung. It would appear that the whole of the stomach and greater part of the transverse colon, with the omentum, had passed into the left cavity of the thorax. The heart was displaced so as to lie parallel to the spine, its apex being almost in a line with the coronary artery of the liver. *The wound of the diaphragm, through which the hernia of the stomach and other parts had taken place, into the thorax, appeared to have extended originally about three inches.*

In regard to the degree of blood-letting practised on Mr. Drummond, and which has given occasion to clamours and boastings by ignorant and discreditable charlatans, both in and out of the profession; with regard to this point, I say, we must be extremely cautious in questioning the practice of two such eminent and experienced surgeons as Messrs. Guthrie and Cooper. Nevertheless, I would beg to call attention to the fact, that in all wounds and in inflammation, the fatal result may be accelerated or caused by too *little* just as well as by too *much* action. For example, in the case of a severe gun-shot wound, do not bleed at all, and the patient may live; or if he dies, he does so, most probably, of exhaustion from the inflammatory fever, but most likely *without mortification setting in*. In another case *over-bleed*, and then the patient is likely to die of mortification of atonic origin. We must always keep in mind that the wound, which is an *unnatural* event and an *evil*, being premised, the inflammation which follows is a *natural* and absolutely necessary process; that in the most of cases it is almost or wholly impossible to arrest or prevent inflammation in the above circumstances, and that perhaps the evil is less of allowing the inflammatory action fair play, and of running the risk of even its excess, than of endeavouring totally to prevent or greatly to check it, by exhausting and prostrating blood-lettings. Gangrene, in short, may as readily follow from want of *organising* power in the body (produced by large bleedings) as from the *disorganising* action of inflammation. I am, Sir, your obedient servant,

ROBERT DICK, M.D.

Upper John-street, Golden-square,
April 6, 1843.

THE following lotion has been recommended as a remedy for hepatic prurigo of the perineum:—*Iodine*, twelve grains and a half; *hyd. of potash*, forty grains; *spirits of wine*, one ounce; *distilled water*, five ounces.

M. RICORD states that the seat of blennorrhoea in the female is most commonly the vagina, sometimes both the vagina and the urethra, but very seldom the urethra alone.